

Document: Tenn. Code Ann. § 12-3-305

## Tenn. Code Ann. § 12-3-305

Copy Citation

Current through 2017 Regular Session (Chapter 493).

[Tennessee Code Annotated](#) > [Title 12 Public Property, Printing And Contracts](#) > [Chapter 3 Public Purchases](#) > [Part 3 Purchases and Contracts for Goods and Services](#)

**12-3-305.** Responsibility for effective management of contracts -- Adoption of regulations or policies that define service contracting fundamentals -- Inclusion of the maximum liability or total estimated purchase in solicitations -- Certification to state agencies the sources of services and supply and the contract price of the various goods and services covered by contracts.

(a) The central procurement office or the procuring state governmental entity shall be responsible for the effective management of all contracts procured under its authority and shall adopt regulations or policies that define service contracting fundamentals. Such regulations or policies shall include, but are not limited to, contract management and monitoring of vendors, grants and sub-recipient relationships. The regulations for monitoring shall, at a minimum, require the filing of the monitoring plan with the chief procurement officer before any contracts are approved.

(b) Any state agency, when entering into contracts with any organizations that agree to provide services to third parties, shall, subject to approval by the chief procurement officer and the comptroller of the treasury, establish guidelines for such organizations. These guidelines shall define the responsibility and prescribe procedures to be followed by the contracting agencies, including, but not limited to, the use of generally accepted accounting

procedures, sound business practices, and compliance with related state and federal regulations regarding the fiscal policies of nonprofit organizations. The guidelines established shall be used as prerequisites for the state's agreement to provide matching or other state funds or federal funds or entering into a third party contract.

**(c)** Every solicitation issued for the purpose of establishing a contract shall include the maximum liability or total estimated purchase by agencies of state government for the current contract period, if applicable, and for the new contract period. More than one (1) contract may be let for the supply of any given class or type of goods or services and any contract may provide for the cancellation thereof by either party. Contracts executed or proposed to be executed for periods of time of more than twelve (12) months shall be subject to the policies, rules and regulations of the central procurement office, as approved by the procurement commission, and shall meet the following conditions:

**(1)** Such contracts may contain a provision giving the state the right of cancellation for convenience for periods of time established by the chief procurement officer;

**(2)** Such contracts shall contain a provision giving the state the right of cancellation at the end of any fiscal year without notice, in the event that funds to support the contract become unavailable; and

**(3)** No contract may be let for periods of time in excess of sixty (60) months, unless the chief procurement officer determines the contract is in the best interest of the state and approves the contract in accordance with rules and regulations, and policies and procedures approved by the procurement commission, as being in the best interest of the state.

**(d)** After contracts have been awarded, the chief procurement officer shall certify to state agencies the sources of services and supply and the contract price of the various goods and services covered by the contracts. It is unlawful for any state agency to purchase any goods or services covered thereby from any sources other than those certified by the chief procurement officer, except as otherwise provided in this chapter.

## History

---

Acts 2013, ch. 403, § 18.

TENNESSEE CODE ANNOTATED

© 2018 by The State of Tennessee All rights reserved

**Content Type:** Statutes and Legislation

**Terms:** 12-3-305

**Narrow By:** custom: custom Sources: Tennessee Code Annotated

**Date and Time:** Feb 23, 2018 10:22:13 a.m. EST



[About LexisNexis®](#)

[Privacy Policy](#)

[Terms & Conditions](#)

[Sign Out](#)

Copyright  
© 2018  
LexisNexis.  
All rights reserved.

